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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,147	08/27/1999	A. STEPHAN NOVICK	PR-0006	7432

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EXAMINER

GHEE, ASHANTI

ART UNIT PAPER NUMBER

2626

9

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/384,147

Applicant(s)

NOVICK ET AL.

Examiner

Ashanti Ghee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-17, 26-30, 34-38, 42-50 and 60-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-17, 26-30, 42-44, and 60-64 is/are allowed.
- 6) ☒ Claim(s) 34-38, 45-47 and 50 is/are rejected.
- 7) ☒ Claim(s) 48 and 49 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 26 is objected to because of the following informalities: misspelled word "herein" should be changed to wherein. Appropriate correction is required.
2. Claims 48 and 49 are objected to because of the following informalities: both claims depend upon a cancelled claim, claim 41. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34-38, 45-47, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumada (US Patent No. 6,337,922 B2) in view of Kipphan (US Patent No. 4,955,290).

Regarding claim 34, Kumada discloses a remote printing system, comprising: a network port (col. 16, lines 15-60); a printing device connected to said network, wherein said printing device receives first image information from said network port and generates a printed image (col. 16, lines 24-col. 17, lines 1-10); a measuring device connected to said network port, wherein said measuring device generates second image information from said control image (col. 17, lines 4-55).

Although Kumada does not disclose the control image or wherein the corresponding control image is used to identify the print job of the printer image, Kipphan discloses a remote printing system, comprising: a corresponding control image (identification field 28 reads on corresponding control image; col. 9, lines 9-26); wherein said corresponding control image (28) is used to identify the print job (printing job) of the printed image (test print reads on printed image; col. 9, lines 9-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Kumada and Kipphan due to both references disclosing remotely calibrating printing machines by using densitometers to provide a multi-machine operating system for remotely controlling printing machines having a common ink measuring device with a minimum of expense and manufacturing costs.

Regarding claim 35, Kumada discloses the system wherein the control image includes a sequence of colors selected from a set of predetermined colors in response to a print job identification number (col. 5, lines 4-15).

Regarding claim 36, Kumada discloses the system further comprising an image server located remotely from said printing device and said measuring device (Fig. 33), said image server provided said first image information (col. 17, lines 3-10).

Regarding claim 37, Kumada discloses the remote printing system wherein said image server transmits said first image information data to said printing device (col. 17, lines 3-10); and said measuring device transmits said second image information to said image server (col. 13, lines 4-35).

Regarding claim 38, Kumada disclose the remote printing system wherein said image server generates print quality information from said second image information (col. 15, lines 1-18).

Regarding claim 45, Kumada discloses a system for remote printing comprising an image server computer adapted for connection to a remote printing station, said server computer having a memory, a processor, and a network port, wherein said image server computer is configured to perform the steps of: transmitting (demands reads on transmitting) print job instructions (to print color patch data read on print job instructions) including digital image source information (color patch data reads on digital image source information) over said network port (server 40 reads on network port) for printing an image at the remote printing station (col. 16, lines 24-col. 17, lines 1-10); receiving digital image measurement information (calibration profile) from the remote printing station (network printer 50) corresponding to measurements of the control image (col. 16, lines 15-col. 17, lines 1-3).

Although Kumada does not disclose identifying a print job, Kipphan discloses said digital image source information (printing job) including an associated control image (identification field 28) that incorporates identification information (declaring the association between a given printing job and the selected printing machine read on incorporates identification information; col. 9, lines 9-38); and identifying (declared reads on identifying) a print job (printing job) associated with said digital image source information (job data) from said received digital image measurement information (measurement data reads on digital image measurement information; col. 9, lines 9-26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Kumada and Kipphan due to both references disclosing remotely calibrating printing machines by using densitometers to provide a multi-machine operating system for remotely controlling printing machines having a common ink measuring device with a minimum of expense and manufacturing costs.

Regarding claim 46, Kumada discloses the system wherein the digital measurement information is used to generate calibration instructions to be sent to the remote printing station (col. 17, lines 4-55).

Regarding claim 47, Kumada discloses the system wherein the identification information is a sequence of colors selected from a set of predetermined colors (col. 5, lines 4-15).

Regarding claim 50, Kumada discloses the system wherein each predetermined color is predetermined with respect to the color space of the printing device (col. 11, lines 45-62).

Allowable Subject Matter

5. Claims 10-17, 26-30, 42-44, and 60-64 allowable over the prior art of record.
6. The following is an examiner's statement of reasons for allowance: Claims 10-17, 26-30, 42-44, and 60-64 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art which teaches a remote printing system

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that comprises a computer that contains memory, a processor, and a network port which receives first image information from the network port and creates a quality measurement that is a comparison between previously determined reference information and the second image information based on the second image information; a printer that is connected to the computer for creating images that are printed from the first image information, a spectrophotometer or colorimeter that is connected to the computer for producing second image information from the printed image, respectively, as set forth in Claims 10 and 60-64 including all of the features recited therein.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Falk (US Patent No. 6,141,120) discloses a color calibration method and system having independent color scanners.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashanti Ghee whose telephone number is (703) 306-3443. The examiner can normally be reached on Mon-Thurs and alt. Fri. (7-4PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



AG
October 6, 2003

Ashanti Ghee
Examiner
- Art Unit 2626



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER